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Ronald L. Wilson, Director
Health Assessment Policy Staff
Office of Health Affairs (HFY-20)
Food and Drug Administration
5600 Fishers Lane, Room 15-22
Rockville, MD 20857

Re: ThermaChoice™ Uterine
Balloon Therapy System
FDA Docket No. 98E- 0485

Dear Mr. Wilson:

Transmitted herewith is a copy of the application for patent term extension of U.S. Patent No. 5,105,808. The application was filed on February 6, 1998, under 35 U.S.C. § 156.

The patent claims a product that was subject to regulatory review under the Federal Food, Drug and Cosmetic Act. Subject to final review, the subject patent is considered to be eligible for patent term restoration. Thus, a determination by your office of the applicable regulatory review period is necessary. **The determination of the length of the regulatory review period should reference both U.S. Patent No. 4,949,718 and U.S. Patent No. 5,105,808.** Accordingly, notice and a copy of the application are provided pursuant to 35 U.S.C. § 156(d)(2)(A).

Telephone inquiries regarding this matter should be directed to the undersigned at (703)306-3159.


Karin Tyson
Legal Advisor
Special Program Law Office
Office of the Deputy Assistant Commissioner
for Patent Policy and Projects

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